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SEP 19 2005

in re ap

In re application of:

Examiner: David C. Payne

Applicant notes that the Office Action erroneously refers to Docket No. “21153-05929.” In connection with the foregoing, Applicant notes that a Revocation and Substitute Power of Attorney (filed June 16, 2003 and January 25, 2005) is of record in this case and, further, Exhibit B (also of record) to the aforementioned Revocation and Substitute Power of Attorney clearly identified the serial number of this

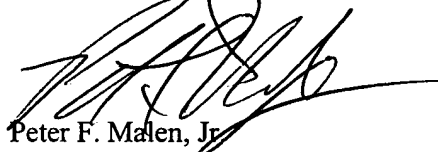
Application No. 10/017,358
Docket No. 15436.247.45.1.1
Reply to Office Action mailed September 6, 2005

case (10/017,358) as corresponding with docket number 15436.247.45.1.1. A Notice of Acceptance of Power of Attorney (mailed April 7, 2005) is also of record in this case, although the Notice of Acceptance of Power of Attorney continues to refer to the aforementioned incorrect docket number.

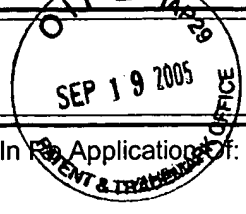
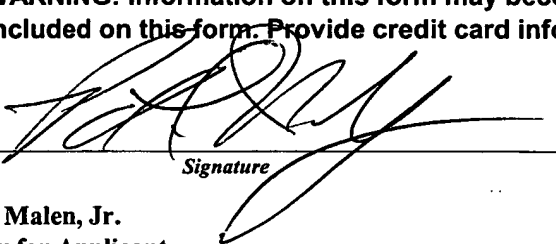
In light of the foregoing, Applicant respectfully requests that all future communications from the USPTO concerning this case cite the correct docket number, namely, 15436.247.1.1. Applicant further requests that all applicable USPTO records be timely updated to reflect the correct docket number.

Dated this 19th day of September, 2005.

Respectfully submitted,



Peter F. Malen, Jr.
Attorney for Applicant
Registration No. 45,576
Customer No. 022913
Telephone No. (801) 533-9800

				TRANSMITTAL LETTER (General - Patent Pending)		Docket No. 15436.247.45.1.1					
In Re Application of: Jeffrey D. Walker											
Application No. 10/017,358		Filing Date December 13, 2001		Examiner David C. Payne		Customer No. 022913		Group Art Unit 2633		Confirmation No. 6851	
Title: OPTICAL TRANSMITTER INCLUDING A LINEAR SEMICONDUCTOR OPTICAL AMPLIFIER											
<p style="text-align: center;"><u>COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is:</p> <p style="padding-left: 40px;">Response to Notice of Non-Compliant Amendment (2 pgs); Replacement Drawings (8 sheets); and Postcard</p> <p>in the above identified application.</p> <p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> A check in the amount of _____ is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.</p> <p style="padding-left: 40px;"><input type="checkbox"/> Charge the amount of _____</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Credit any overpayment.</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Charge any additional fee required.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 45%;"><p style="text-align: center;">Signature</p><p>Peter F. Malen, Jr. Attorney for Applicant Reg. No. 45,576 Telephone No. 801-533-9800</p></div><div style="width: 45%; text-align: right;"><p>Dated: September 19, 2005</p></div></div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p style="text-align: center;">(Date)</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>											

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Jeffrey D. Walker**

Docket No.

15436.247.45.1.1

Application No.

10/017,358

Filing Date

December 13, 2001

Examiner

David C. Payne

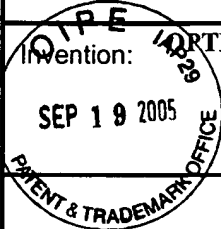
Customer No.

022913

Group Art Unit

2633

Invention:

OPTICAL TRANSMITTER INCLUDING A LINEAR SEMICONDUCTOR OPTICAL AMPLIFIER**SEP 19 2005**

I hereby certify that the following correspondence:

Response to Notice of Non-Compliant Amendment (2 pgs); Replacement Drawings (8 sheets); Transmittal Letter (1 pg in duplicate); and Postcard.*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 19, 2005*(Date)***Gina Meredith***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 680255825 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**